

Received

PATENT

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Docket No. 3553-4029

Group 2700

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Jay S. Walker et al. Group Art Unit: 2763

Serial No : 08/923,618 Examiner: TBD

Filed : September 4, 1997

For : CONDITIONAL PURCHASE OFFER MANAGEMENT SYSTEM FOR CRUISES

**INFORMATION DISCLOSURE STATEMENT**

ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on Form PTO-1449, a copy of which is enclosed, may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

The filing of this information disclosure statement shall not be construed as a representation that a thorough search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Nor shall the filing of this information disclosure statement be construed as an admission against interest in any manner. Although download dates represent Applicants' best estimate as to the availability of a particular reference to Applicants, download dates do not represent an admission as to the publication date of a particular reference for prior art purposes.

1. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed:  
  
\_\_\_\_\_
2. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application.
3. ☒ Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in application Serial No. 08/889,319, filed July 8, 1997.
4. ☒ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
  - ☐ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application for filing date of the continued prosecution application filed on \_\_\_\_\_; or
  - ☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application; or
  - ☒ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office Action on the merits, whichever event occurred last.
5. ☐ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a notice of allowance (where there has been no prior final action):
  - ☐ A check in the amount of \$240.00 is enclosed in payment of the fee.
  - ☐ Charge the fee to Deposit Account No. 13-4500. Order No. \_\_\_\_\_. A  
DUPLICATE COPY OF THIS SHEET IS ATTACHED.
7. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:
  - a. ☐ one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
  - b. ☐ the attached petition requesting consideration of this Information Disclosure Statement; and
  - c. ☐ the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 10 below.

8. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:
- a. ☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue;
  - b. ☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To withdraw Application From Issue.
  - c. ☐ The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 10 below.
9. ☐ I hereby certify that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- ☐ I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after make reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
10. ☐ A check in the amount of \$130.00 is enclosed in payment of the fee due under C.F.R. §1.17(i)(1).
- ☐ Charge the fee due under C.F.R. §1.17(i)(1) to Deposit Account No. 13-4500. Order No. \_\_\_\_\_ A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 13-4500. Order No. 3553-4029. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

By: \_\_\_\_\_

Walter G. Handchuk

Registration No.: 35,179

Dated: April 6, 1999

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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  <b>INFORMATION DISCLOSURE CITATION</b>  (Use several sheets if necessary)	ATTY. DOCKET NO. 3553-4029	SERIAL NO. 08/923,618
	APPLICANT Jay S. Walker, et al.	
	FILING DATE 9/4/97	GROUP ART UNIT 2763

### U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,845,265	12/1/98	Woolston			
	5,835,896	11/10/98	Fisher, et al.			
	5,832,452	11/3/98	Schneider, et al.			
	5,826,244	10/20/98	Huberman			
	5,799,285	8/25/98	Klingman			
	5,797,127	8/18/98	Jay S. Walker, et al.			
	5,794,219	8/11/98	Brown			
	5,794,207	8/11/98	Walker, et al.			
	5,758,328	5/26/98	Giovannoli			
	5,757,917	5/26/98	Rose, et al.			

### FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	97/46961	12/11/97	WIPO				X
	96/34356	10/31/96	WIPO				X

### OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Papers, Etc.)

		Fishkin, Ken, Foresight Exchange Tutorial: ( <a href="http://www.ideosphere.com/fx/docs/tutorial.html">http://www.ideosphere.com/fx/docs/tutorial.html</a> ) February 19, 1999 at pgs. 1-5
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			Jeffrey Davis, "Big Storm rising", Business 2.0, September, 1998 at p. 60.
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		5,420,914	5/30/95	Blumhardt			

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			About Iao, selected pages downloaded from <a href="http://www.iaoauction.com">www.iaoauction.com</a> on September 8, 1997 and September 18, 1997.
			Onsale: Auction Supersite, selected pages downloaded from <a href="http://www.onsale.com">www.onsale.com</a> on September 8, 1997.

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		5,243,515	9/7/93	Lee			
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			Trade-Direct: We Help You Trade With Confidence, selected pages downloaded from <a href="http://www.trade-direct.com">www.trade-direct.com</a> on August 6, 1997.
			Classifieds2000: The Internet Classifieds, selected pages downloaded from <a href="http://www.classifieds2000.com">www.classifieds2000.com</a> on August 6, 1997.
			Internet Mortgage Service Eliminates Loan Agents and Passes Commissions on to the Consumer, Company Press Release, Yahoo Business Wire (June 30, 1997).
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		Hitch a Flight to Europe, selected pages downloaded from <a href="http://www.travelassist.com">www.travelassist.com</a> on May 6, 1997.
		Airhitch: Your Way to Low Cost Travel, selected pages downloaded from <a href="http://www.vaportrails.com">www.vaportrails.com</a> on May 6, 1997.
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		Bryant, Adam, "Shaking Up Air Fares' Status Quo", The New York Times, March 31, 1997.
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		"UK's" World Telecom Unveils New WorldSaver Tariffs," Newsbytes, Information Access Company (February 13, 1997)
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		"Affinicast Enables Web Sites That Listen and Adapt to Customer Affinities", PR Newswire, December 3, 1996.
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	APPLICANT Jay S. Walker, et al.	
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**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

**OTHER DOCUMENTS** *(Including Author, Title, Date, Pertinent Papers, Etc.)*

			"Letter to Business Extra", The San Francisco Chronicle, December 26, 1989 at pge C7.
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			Apollo Host Computer, selected pages downloaded from <a href="http://www.appollo.com">www.appollo.com</a> .				
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